

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN E. FIELDS, P83425,

Plaintiff,

v.

LAWRENCE GAMBOA, et al.,

Defendant(s).

Case No. [17-cv-06072-CRB](#) (PR)

ORDER OF DISMISSAL

Plaintiff has filed a notice of voluntary dismissal of this prisoner action “with prejudice.” Notice (ECF No. 26) at 1. The request is construed as a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i) and, pursuant thereto, the action is DISMISSED with prejudice. See American Soccer Co. v. Score First Enters., 187 F.3d 1108, 1110 (9th Cir. 1999) (plaintiff’s “absolute right” to dismiss his action voluntarily before defendants serve answer or motion for summary judgment leaves no role for court to play).

The clerk is directed to close the case and terminate all pending motions as moot.

IT IS SO ORDERED.

Dated: January 10, 2019



CHARLES R. BREYER
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN E. FIELDS,
Plaintiff,

v.

LAWRENCE GAMBOA, et al.,
Defendants.

Case No. 3:17-cv-06072-CRB

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 10, 2019, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kevin E. Fields ID: P83425
California Health Care Facility B-2B-109
P.O. Box 32110
Stockton, CA 95213

Dated: January 10, 2019

Susan Y. Soong
Clerk, United States District Court

By: 
Lashanda Scott, Deputy Clerk to the
Honorable CHARLES R. BREYER